

Meal Service Issues

Denial of Meals as a Disciplinary Action

United States Department of Agriculture (USDA) policy prohibits the denial of meals as a disciplinary action against any student who is enrolled in a School Food Authority (SFA) participating in child nutrition programs. Disciplinary action which indirectly results in the loss of meals is allowable (e.g., a student is suspended from school). When the withholding of meals is the disciplinary action or if the disciplinary action directly results in the loss of meals, it is inconsistent with the law and is not allowable.

Students Working in the Cafeteria

Regulations state that recipients of free and reduced-price benefits shall not be required to work for those benefits. However, they are not prohibited from voluntarily working in the cafeteria. Some SFAs employ student helpers in the kitchen or serving area for monetary or other compensation. In these cases, parents of all workers must be informed in writing that their children have volunteered to work. The letters must state that, if the children have been certified as eligible for free and reduced-price benefits, their continued eligibility is in no way dependent upon working. In addition, the letters should not be a part of or attached to the free and reduced-price letters to parents, applications, or notices of approval or denial.

Meal Tickets: Lost, Stolen, and Misused

The USDA has issued an instruction regarding the handling of lost, stolen, and misused paid, free, and reduced-price meal tickets. The instruction states that the SFA may establish their own procedures regarding this matter; except that any system which limits the number of tickets reissued must conform to the following standards:

1. Parents and students must be advised of the SFA's policy regarding missing meal tickets and of the student's corresponding responsibility for their tickets. Such notice shall be provided to all households at the time they begin receiving or purchasing meal tickets.
2. A minimum of three replacements, or special meal arrangements resulting from three lost or stolen tickets, must be allowed each student within each school year (includes initial ticket plus three replacements).
3. The school must maintain a list of students who have reported missing original tickets in the current school year and the number of occurrences for each student. Prior to denying a meal to any student without a ticket, the list should always be reviewed to determine if the student has already had at least three ticket replacements or special meal arrangements for lost or stolen tickets within that school year.
4. At least one advance written warning must be given to the student and the parent(s) prior to refusal to allow additional meals or ticket replacements. The written warning must include an explanation that the student has repeatedly requested replacement tickets and that each subsequent time the student fails to have a ticket

Important Point!

When considering a disciplinary action against any student, school officials should ensure that such action is consistent with the stated policy and should make a reimbursable meal available to any student attending school who, for disciplinary reasons, is not allowed to eat in the cafeteria.

that he/she will be expected to either bring lunch/ breakfast or pay full price for lunch/breakfast.

5. Meals must always be provided to pre-kindergarten, kindergarten, and disabled students who may be unable to take full responsibility for a meal ticket.

Using the above criteria, SFA officials may develop the most administratively feasible system to handle missing tickets as determined by individual SFA circumstances and frequency of ticket issuance. In cases of repeated ticket loss or misuse, SFA administrators may wish to contact an adult household member to arrange a meeting to discuss the problem.

Replacement of Medium of Exchange

Some SFAs are charging for the replacement of identification cards or other cards, tickets, or tokens used as a medium of exchange in the school lunch and breakfast programs. These charges are being made on the initial replacement prior to the minimum replacement of three tickets. This is a reminder that the SFA must replace a minimum of three tickets at no charge. However, if the SFA is using this card for other purposes as well as the school lunch and breakfast programs, there must be an alternate method for students to receive their meals. This could include making students get a temporary lunch card and go to the end of the line, then finding their names on the roster to confirm eligibility or use a number that is coded instead of the card. The most important point to keep in mind is that the meal cannot be denied to the student unless the lost, stolen, and misused ticket procedure has been followed.

Are Schools Required to Serve Students With No Money or Lunch from Home?

Schools are not required to serve students who receive reduced-price or full-price meals that do not have money to pay. The Office of School Food Services and Nutrition offers no specific recommendations as to what policies SFAs should adopt with regard to this problem; however, the following methods are commonly and successfully employed by SFAs throughout the State.

Questions & Answers

1. Q: In the disciplinary units such as in-school suspension (ISS) may students be required to bring a lunch from home?

A: If the school participates in the National School Lunch Program, students may not be required to bring a lunch. Enrolled students attending classes during normal school hours must be offered school meals in participating schools.

2. Q: In the disciplinary units may students be provided a lunch that is different than the meal served to students in the cafeteria?

A: Yes. If the meal is to be claimed for reimbursement, it must meet meal requirements.

3. Q: In disciplinary units may students be required to eat in a different location or at a different time from other students?

A: Yes, as long as the meal is served during the SFA's recognized meal times and the meals meet requirements.

4. Q: In high school, must the offer versus serve provision be implemented for the ISS class?

A: If the delivery system utilizes a meal that is prepackaged, such as a sack lunch, the offer versus serve provision is not required.

Many SFAs have adopted a no-charge policy meaning the student who comes to school without money or a lunch from home is (1) given a meal which can be claimed for section 4 (paid) reimbursement or (2) given an opportunity to call his parents so they may make provisions for his/her meal. In some SFAs, no accommodations are made by the SFA for feeding the student with no money.

Other SFAs desiring to provide a controlled method for limited charges involve the principal's office in the process. Often the student must go to the office where he/she is given a note which is exchanged on the serving line for a meal. At the end of the day, the cashier exchanges the note in the office for cash. This method removes food service personnel from accounting and collecting for charged meals. Also, a student who may have a problem with a parent or guardian providing meals may be aided by the administrative staff because they are aware of the situation.

Equal Access for All Students

When the SFA offers a selection of more than one type of meal that is claimed for reimbursement or when it offers a variety of foods and fluid milk to provide choice within the meal requirements, the SFA must offer all students the same selection

Important Point!

Meals served on an all-cash line may never be claimed for reimbursement, even though the same items are offered on another serving line. If certain lines are not made available to all students, including those receiving free or reduced-price meals, meals served on those lines may not be claimed.

regardless of whether the students are eligible for free, reduced-price, or pay the full price for meals set by the SFA. If certain items are not made available to all students, including those receiving free or reduced-price meals, those items may not be counted toward reimbursable meals.

When planning for special functions, parties, field trips, etc., the food service department should be involved in the process to ensure that students are not denied meals, free and reduced-price students are not overtly identified, and that meals claimed for reimbursement meet requirements. For instance, when field trips are planned, the food service department can make sack lunches for those students that request one. This would include free, reduced-price, and paid student requests. Request forms used for field trips must not include eligibility status. By allowing all students to request a lunch if desired, overt identification is prevented.

Meal Times

Breakfast and Lunch

Regular meal times specified in regulations for the National School Lunch Program have been identified as 10 a.m. to 2 p.m. Breakfast hours would be identified as meal service prior to 10 a.m. in most circumstances. Districts are encouraged to allow students to eat breakfast when they are late arriving at school. However, this is not a requirement.

Evening Hours

Some SFAs have requested alternative feeding times. The following information provides guidance about meal times other than the regular 10 a.m. to 2 p.m. hours specified in regulations.

The National School Lunch Program regulations state that midday means between 10 a.m. and 2 p.m. and that reimbursable lunches would normally need to be served between these hours. It is further specified that evening meals cannot be considered lunch and that such meals should not be reimbursed. However, exemptions may be allowed on a case-by-case basis if they are approved by

the Food and Nutrition Service (FNS), but under no circumstances can evening meals served to students in adult education courses or in delayed diploma programs be considered reimbursable. It is important to determine that SFAs are serving traditional high school students at a nontraditional time.

Requests must be made in writing to the Office of School Food Services and Nutrition of the South Carolina Department of Education stating that the alternative time period activity is recognized as a school activity. The program should be described, including the time of day. Requests will be forwarded to the U. S. Department of Agriculture Southeast Regional Office, and FNS Headquarters will review these requests on a case-by-case basis.

Guidance for Year-Round Schools

USDA has determined that SFAs participating in the National School Lunch Program and the School Breakfast Program as part of their year-round program, may provide meals through these programs to students who are not in school because of school breaks or vacations if the students are engaged in school-sponsored educational activities. Year-round schools may claim reimbursement for eligible meals through the NSLP and SBP, but they must ensure that students are enrolled in school in an educational unit and that systems are in place to identify off-track students from other school students.

Off-Site Meal Consumption

National School Lunch and School Breakfast Programs authorizing legislation and regulations clearly intend that meals prepared under the programs are to be served and consumed in the cafeteria or other designated eating areas. Therefore, meals may not be prepared for off-site consumption for students or adults. Examples include meals given to students to eat on the bus, take home with them due to early dismissal, etc.

Meals consumed on school-sponsored, supervised field trips may be reimbursed since the meals are served and consumed as part of a school-related

function. Meals served during such field trips should be subject to especially stringent sanitary and precautionary measures to avoid food contamination and spoilage.

Sometimes circumstances exist for students who are enrolled in one school but attend another work-study site for the part of the day that includes the meal hour. When the work-study site does not participate in the programs, takeout school meals meeting program requirements may be served to such students and claimed for reimbursement by their home-base school.

Kindergarten and Pre-kindergarten Programs

The National School Lunch and Breakfast Programs may be operated in schools of high school grade and under. This means that students attending kindergarten and pre-kindergarten programs are eligible to participate in the lunch and breakfast programs. Please refer to the School Lunch Requirements, Section 12, when planning meals for these age groups. At the discretion of the SFA, students attending school on a half-day basis may participate in the lunch and breakfast programs in operation.

A la Carte/Special Sales Service

If the SFA provides a la carte/special sales service and has implemented offer versus serve, any combination of foods that would comprise the minimum required food items of the planned meal may be sold at the unit price for breakfast or lunch. The meal may be claimed for reimbursement as long as all required food items are made available to each student for lunch and breakfast. Also, in this case a la carte/special sales items would have to be made available to students eligible for free and reduced-price meals. If students choose fewer than the required number of food items, a la carte/special sales prices should be charged and no reimbursement claimed. Also, if additional foods not offered as part of the meal are selected, a la

carte/special sales prices should be charged for those items.

A la Carte/Special Sales Service Provided By A Commercial Food Establishment

An SFA is prohibited by Federal regulations from contracting with a food service management company (or commercial enterprise) to operate an a la carte/special sales food service unless the company agrees to offer free, reduced-price, and paid meals to all eligible students. This rule applies regardless of whether the commercial food service is operated in the cafeteria or in other campus locations.

Meal Schedules-Adequate Time to Eat

The SFA is required to serve lunches which meet the meal requirements as prescribed by USDA during a period “designated as the lunch period”. The same is true for breakfast. All schools in South Carolina must have both programs. Lunch schedules are determined by school administrators.

Considerations in scheduling meal periods should include the following:

1. According to nutrition experts, a rushed environment decreases chances for optimal food intake. The time allocated for students to eat must allow for obtaining their meal, finding a place to sit, eating, socializing, and discarding waste. Students probably need a minimum of 15 to 20 minutes from the time they are seated to eat, talk a little, and experience the meal without rushing.
2. Student focus groups representing several SFAs in South Carolina commented on the amount of time allocated for lunch. They considered anything less than 25 minutes inadequate. Many skip lunch rather than stand in line and rush to eat.

Questions Answers

1. Q: May a la carte/special sales items be grouped and totaled to equal the price charged for a full-price lunch or breakfast and claimed for reimbursement? An example would be 5 juices at \$.20 = \$1.00 (the price of the lunch), or 3 milks at \$.25 = \$.75 cents (the price of the breakfast).

A: No. Only when the required food items are offered and the required number of food items are selected by the student can a reimbursable meal be claimed.

2. Q: May salads that are priced per ounce be claimed for reimbursement?

A: No. The meal must be priced as a unit and all students must be allowed to choose the meal at the unit price.

3. The most common complaint received at the State Agency from parents is in regards to the inadequate time students are provided for lunch.
4. In high schools it has been demonstrated that lower participation occurs when there is only one lunch period. In addition, some high schools have discovered that they experience fewer discipline problems by scheduling more lunch periods and releasing fewer students at one time.

Self-Serve/Theme Bars

In an effort to promote good nutrition and to provide an alternate menu choice for students, salad and other types of self-serve/theme bars have been added to the services available in many cafeterias.

The self-serve/theme bar may be priced on an a la carte/special sales basis or as a reimbursable meal. One advantage of offering it as a reimbursable meal is that students receiving all levels of benefits (free, reduced-price, and paid) have access to the additional service.

Commercially Prepared Ready-to-Eat Foods

Meat and Poultry-Topped Pizza

The Food Safety Inspection Service's (FSIS) final rule exempting meat or poultry-topped pizzas from Federal meat inspection requirements was published on August 3, 1992, and effective upon publication.

The Principal Provisions of the Rule include:

- Meat or poultry products must have been previously inspected and passed in a cooked or cured ready-to-eat form.
- Pizzas must be served in public or private nonprofit institutions.

- Pizzas must be ready-to-eat with no further cooking or preparation needed.
- Pizzas must be transported directly to the receiving institution by employees of the preparing firm, receiving institution, or food service management company employed by the receiving institution.
- Firms claiming the exemption must comply with specific provisions of the Food and Drug Administration's 1976 Food Service Sanitation Manual that have been incorporated by reference into the rule. In addition, the rule establishes specific requirements for the manual or machine cleaning of utensils and equipment.
- FSIS may withdraw or modify the exemption for any firm if necessary to ensure food safety and public health. The rule establishes due process procedures for taking such actions.

The following must be accomplished to claim reimbursement for meals selected from a self-serve bar:

- All menu items of the reimbursable lunch must be offered.
- The meal must be priced as a unit.
- The self-serve/theme bar must be available to students receiving all levels of benefits (paid, free, and reduced-price).
- The menu items must be taken in the required amounts. If the school has offer versus serve, the minimum required number of menu items must be taken.
- Cashiers must be trained to recognize a reimbursable meal and the meal must be counted at the point of service.
- Food production records must be maintained on the self-serve/theme bar.

- Firms claiming the exemption are now free to sell fresh meat or poultry-topped pizzas to school food authorities participating in the National School Lunch Program.
- Under the exemption, State and local health inspection programs have primary responsibility for sanitation. FSIS also reserves the right to conduct any inspections it deems appropriate.

Additional Requirements

When allowing local vendors to bring in prepared food to school feeding operations only those food products prepared off-site by the Department of Health and Environmental Control (DHEC) “permitted” commercial establishments may be utilized in the National School Lunch and Breakfast programs.

Notes: